

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

FEB 21 2018

David J. Bradley, Clerk

UNITED STATES OF AMERICA

v.

David Rosal-Purata

Principal

Mexico

YOB: 1998

Case Number:

M-18-0366-M

CRIMINAL COMPLAINT

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my

knowledge and belief. On or about February 19, 2018 in Hidalgo County, in
the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that Pedro David Aguilar-Lopez, and Pedro Daniel Alvarez-Saquic, citizens and nationals of Guatemala, along with eight (8) other undocumented aliens, for a total of ten (10), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to-wit: a residence located in Mission, Texas

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii)
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On February 19, 2018 Border Patrol Agents received information of a possible house used to harbor undocumented aliens located at 3309 N. Shary Road, Lot Number 8, in Mission, Texas.

Later that morning, agents conducted surveillance at the suspected stash house, when they observed a silver Honda sedan arrive at the location. Agents observed a male subject, later identified as David ROSAL-Purata, exit the silver Honda and enter the residence through the back door. Moments later, ROSAL was seen departing the residence on the silver Honda, and as agents proceeded to follow the vehicle driven by ROSAL, he met up with an unknown female driving a white Tahoe, at Banworth Park, in Mission, Texas.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

David Bernal III Senior Patrol Agent

Printed Name of Complainant

Approved: Joseph Leonard
Sworn to before me and subscribed in my presence,

February 21, 2018

Date

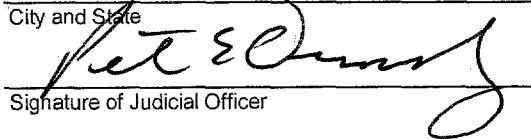
8:23 am at

McAllen, Texas

City and State

Peter E. Ormsby U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Judicial Officer



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-0366-M

RE: David Rosal-Purata

CONTINUATION:

ROSAL was then seen boarding the white Tahoe and departing the park, along with the unknown female. As agents continued surveillance on ROSAL, and the unknown female, both were seen driving to a shopping center in McAllen, Texas, and moments later returning to the park in Mission, Texas, where ROSAL exited the white Tahoe and entered the silver Honda.

A few minutes later, agents observed both vehicles depart from the park, and proceeded to follow ROSAL, as it traveled eastbound on Mile 5, in an evasive fashion, near Alton, Texas. At this time, agents contacted Alton Police Department to assist with a vehicle stop, as ROSAL was seen making abrupt turns with the vehicle. An Alton Police Officer conducted a traffic stop on the silver Honda, and issued a citation to ROSAL for traveling over the posted speed limit and not having a driver's license.

Agents arrived on scene and conducted an immigration inspection on ROSAL and determined he was a Mexican citizen without the proper documentation to be in the United States. ROSAL was read his Miranda Rights and agreed to provide a statement without the presence of an attorney. ROSAL was questioned as to his suspected involvement in human smuggling to which he admitted to harboring eight to ten illegal aliens at the residence. He stated he had keys and control of the suspected stash house and granted written consent to enter the residence.

Agents, along with Homeland Security Investigations Task Force Officer, and Mission Police Department, proceeded to the suspected stash house and entered the residence using the keys provided by ROSAL. A total of ten subjects were discovered inside the residence. All ten subjects were determined to be illegally present in the United States.

**UNITED STATES DISTRICT COURT
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CONTINUATION:

PRINCIPAL STATEMENT:

David ROSAL-Purata, a citizen of Mexico, was read his Miranda Rights. He understood his rights and agreed to provide a sworn statement.

ROSAL identified the suspected stash house as the residence where illegal aliens were being held, and stated he was there to pick up cell phones from the people that were dropped off. ROSAL mentioned he was hired about three months ago, by a man and has received \$300 USD in the past three months. ROSAL stated he provided food and clothing to the illegal aliens. He indicated he would get a call on the cell phone giving him instructions where to pick up money to buy food and clothing.

MATERIAL WITNESSES STATEMENTS:

Pedro David AGUILAR-Lopez, and Pedro Daniel ALVAREZ-Saquic, both citizens of Guatemala, were read their Miranda Rights. Both understood their rights and agreed to provide sworn statements.

AGUILAR stated he made his own smuggling arrangements and was to pay \$90,000 Quetzales to be smuggled into the United States. After crossing the river, along with four others, they were eventually transported by a young male driving a black Jeep to the house where he was later arrested. Once at the house, AGUILAR stated the driver instructed them to go inside and prepare food if they were hungry. AGUILAR also stated the driver told them not to go outside and that they were being monitored with cameras.

AGUILAR identified ROSAL, through a photo lineup, as the driver of the black Jeep that dropped him off at the house.

ALVAREZ stated his uncle made his smuggling arrangements and was to pay \$90,000 Quetzales to be smuggled. He stated he crossed the river along with another person, and were eventually picked up and transported to a yellow wooden house. At the house, ALVAREZ stated a young male would provide food and check up on them once a day.

ALVAREZ identified ROSAL, through a photo lineup, as the person that would provide food and would give them instructions.